

## **DETAILED ACTION**

### **Status of Claims**

1. This action is in reply to the amendment filed on 03 September 2010.
2. Claims 1-25 were canceled.
3. Claims 26-48 are added.
4. Claims 26-48 are currently pending and have been examined.

### **Specification**

5. The substitute specification filed 3 September 2010 has not been entered because it does not conform to 37 CFR 1.125(b) and (c) because: the changes made to the specification are not limited to correcting the original specification so that it is presented in proper idiomatic English. Throughout the substitute specification there are wholesale deletions of examples and text. Such changes do not serve to correct English; rather they remove sections of the disclosure and consequently change the scope of the disclosure. The specification is objected to because it adds new matter to the disclosure.

### **Claim Rejections - 35 USC § 103**

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:
  1. Determining the scope and contents of the prior art.
  2. Ascertaining the differences between the prior art and the claims at issue.

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3. Resolving the level of ordinary skill in the pertinent art.
  4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
8. Claims 26-32, 38, 42, 47 and 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nam et al. (WO 02107030 A1) alone.

**Claims 26, 38, 42 and 47:**

Nam, as shown, discloses the following limitations:

- *maintaining a keyword database for recording multiple keywords and advertisement list information that corresponds to each keyword, in which the advertisement list information includes a number of advertisement files that include each keyword* (see at least page 8, line 10-12, a database that may be indexed by "key" - note that this patent uses the phrase "key word" and "key" rather than keyword),
- *receiving an event inputted from a user utilizing the internet wherein the event having at least one received keyword* (see at least Figure 5, Item 501, see also at least page 11, lines 5-14, input server address, input search keywords),
- *identifying the received keyword from a frequently referred word in the event* (see at least Figure 5, Item 501, see also at least page 11, line 12, inputted keyword),
- *recording the received keyword, a frequency and a recentness history of the received event* (see at least page 11, lines 10-12, the input is stored in a table and previously stored information based on the keyword is retrieved and stored in the same table; see also at least page 12, lines 19-25, a frequency is recorded as well as a recentness history of ads presented in response to the same key word search and whether the same ads are eligible to display),

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- *searching the event for the received keyword, a frequency and recency of the event by referring to the keyword database to determine whether the user is interested in the received keyword* (see at least page 15, lines 6-8 a search is conducted based on the keyword by both the search engine and the advertising engine; see also at least page 12, lines 19-25 ad and keyword stats are considered before an ad is selected to display),
- *generating an advertisement file associated with the received keyword when the user is determined to be interested in the received keyword* (see at least page 11, lines 10-11, the advertisement table is generated based on the information and the input),
- *updating a number of advertisement files in the advertisement list information stored in the keyword database when the user is determined to be interested in the received keyword* (see at least page 6, lines 13-14, the advertisement server stores the advertisement tables, here the advertisement file is the advertisement table; see also at least page 15, lines 6-11, searching a cookie (i.e. a cookie that is pre-stored) corresponding to the keyword, here the advertisement file is a cookie),
- *generating and providing advertisement information associated with the received keyword to the user* (see at least page 15, lines 23-25, the click information is stored in the cookie; see also at least page 16, lines 16-24, further generation and reference to advertisement information; see also at least page 17, lines 27-29, advertisement statistics can be collected according to an advertising site; Examiner notes that, as demonstrated above, the site that a user navigates to may be used as the keyword to look-up relevant advertising, thus advertisement statistics may be keyed to keywords),

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- *updating the advertisement list information with the advertisement information* (see at least page 6, liens 13-14, the advertisement server stores the advertisement tables, here the advertisement file is the advertisement table; see also at least page 15, lines 6-11, searching a cookie (i.e. a cookie that is pre-stored) corresponding to the keyword, here the advertisement file is a cookie),

Although the reference teaches each limitation as shown in the rejection above, the reference discloses many elements with reference to several separate embodiments. However, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine the various elements among the disclosed embodiments since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

**Claim 27:**

Nam discloses the limitations as shown in the rejection above. Further, Nam, as shown, discloses the following limitation:

- *the event is associated with one among the keyword inputted at a search window of an Internet search engine by the user, a web page address inputted at an address window of a web browser by the user, and a hypertext markup language link selected on the web browser by the user* (see at least page 3, line 12, inputting a website address).

**Claim 28:**

Nam discloses the limitations as shown in the rejection above. Further, Nam, as shown, discloses the following limitation:

- *the frequency and recentness of the event includes a number of times the event is inputted from the user during a predetermined effective period* (see at least page 16, line 20-21).

**Claim 29:**

Nam discloses the limitations as shown in the rejection above. Further, Nam, as shown, discloses the following limitation:

- *the advertisement file is a cookie file* (see at least page 12, line 20-21).

**Claim 30:**

Nam discloses the limitations as shown in the rejection above. Further, Nam, as shown, discloses the following limitation:

- *the advertisement file includes at least one of a terminal number (PC ID) of the user, an identifying symbol of the user and expiration data of the advertisement file* (see at least page 17, lines 5-8, identifying information of the user is stored).

**Claim 31:**

Nam discloses the limitations as shown in the rejection above. Further, Nam, as shown, discloses the following limitation:

- *the advertisement information additionally includes a number of impressions of a web page that corresponds to the keyword* (see at least page 16, line 20-21).

**Claim 32:**

Nam discloses the limitations as shown in the rejection above. Further, Nam, as shown, discloses the following limitation:

- *the advertisement list information additionally includes a number of impressions of a web page that corresponds to the keyword* (see at least page 16, line 20-21).

**Claim 48:**

Nam, as shown, discloses the following limitations:

- *a keyword database recording multiple keywords, advertisement list information that corresponds to each keyword, in which the advertisement list information includes a number of advertisement files that include each keyword, a frequency of generation of an event, recentness of the event generation, and a predetermined priority associated with the event* (see at least page 8, line 10-12, a database that may be indexed by "key" - note that this patent uses the phrase "key word" and "key" rather than keyword; see also at least page 16, lines 20-21, predetermined exposure periods),
- *a communication part receiving the event from a user, wherein the event is an action taken by the user while utilizing the internet* (see at least Figure 5, Item 501, see also at least page 11, lines 5-14, input server address, input search keywords),
- *a processing part identifying a keyword from a frequently referred word in the received event and recording the keyword, a frequency and history data that corresponds to the received event from the user* (see at least page 11, lines 10-12, the input is stored in a table and previously stored information based on the keyword is retrieved and stored in the same table; see also at least page 12, lines 19-25, a frequency is recorded as well as a recentness history of ads presented in response to the same key word search and whether the same ads are eligible to display),
- *determining whether the keyword is an interested field of the user according to the frequency and history data of the event and a period of time over which the event is inputted by the user* (see at least Table 1, this invention pre-stores information about each user including users fields of interest; see also at least page 10, lines 13-14, advertisements may be presented based on both the user's field of interest and the characteristics of the page;

Examiner notes, based on the above disclosure that characteristics of the page include keywords derived from the page as well as characteristics associated with keywords; see further at least page 11, lines 5-15, the site that the user navigates to or the search input of the user are retrieved in the form of keywords, these keywords are assumed to be an *interested field of the user* since the user actively entered them),

- *an advertisement file preparing part extracting the keyword determined to be the interested field of the user and generating an advertisement file including the extracted keyword, in which the advertisement file includes at least one of a user's terminal number (PC ID), an identifying symbol of the user, and expiration date information of the advertisement file* (see at least page 11, lines 10-11, the advertisement table is generated based on the information and the input, see also at least page 17, lines 5-8, identifying information of the user is stored),
- *an advertisement information generating part updating a number of advertisement files in the advertisement list information stored in the keyword database and generating advertisement information including the keyword and the advertisement list information updated with the number of advertisement files* (see at least page 6, lines 13-14, the advertisement server stores the advertisement tables, here the advertisement file is the advertisement table; see also at least page 15, lines 6-11, searching a cookie (i.e. a cookie that is pre-stored) corresponding to the keyword, here the advertisement file is a cookie),
- *an advertisement database storing multiple keywords and multiple advertisement data that corresponds to the keywords* (see at least page 8, line 10-12, a database that may be indexed by "key" - note that this patent uses the phrase "key word" and "key" rather than keyword),

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- *an advertisement transmitting part processing the advertisement data that corresponds to the keyword included in the advertisement file by referring to the advertisement database, and providing the advertisement data that is processed to a web browser of the user (see at least page 12, lines 26-28, the searched ad is sent to user display device),*
- *a storing part storing history information with respect to the providing of the advertisement data to the user (see at least page 12, line 30 continuing to page 13, line 1, whether the ad loads properly is confirmed and recorded),*
- *an analyzing part providing predetermined feedback information to a sponsor who has registered the advertisement data, according to the history information (see at least page 17, lines 27-29, statistics of ad information may be collected by advertiser or advertiser site on a regular basis).*

Although the reference teaches each limitation as shown in the rejection above, the reference discloses many elements with reference to several separate embodiments. However, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine the various elements among the disclosed embodiments since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

9. Claims 33-37, 39-41 and 43-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nam et al. (WO 02107030 A1) in view of Cheung et al. (US 7,043,471 B2).

**Claim 33:**

Nam, as shown, discloses the following limitations:

- *maintaining a keyword database for storing multiple keywords and advertisement information according to the keywords (see at least page 8,*



line 10-12, a database that may be indexed by "key" - note that this patent uses the phrase "key word" and "key" rather than keyword),

- *receiving from one among a search window of an internet search engine, a web page address window of a web browser, and a hypertext markup language link of the web browser, a first advertisement request that includes an advertisement keyword which corresponds to one of the multiple keywords stored in the keyword database* (see at least page 13, line 20-21, see also page 11, lines 5-25, advertising corresponds to the keywords entered into a search engine by a user, see also page 8, advertisement and corresponding key),
- *identifying the advertisement keyword from a frequently referred word in the first advertisement request* (see at least page 13, line 20-21, see also page 11, lines 5-25, advertising corresponds to the keywords entered into a search engine by a user, see also page 8, advertisement and corresponding key),
- *searching the advertisement information that corresponds to the advertisement keyword by referring to the keyword database* (see at least page 3, line 26, see also page 11, lines 5-25, advertising corresponds to the keywords),
- *recording the advertisement keyword, a frequency and a recentness history of the received advertisement keyword* (see at least Figure 1, items 118 and 119, the advertisement database stores ads and keywords and advertisement server stores tables that enable the invention to search the ad database and select and transmit the ads; see at least page 11, lines 10-12, the input is stored in a table and previously stored information based on the keyword is retrieved and stored in the same table; see also at least page 12, lines 19-25, a frequency is recorded as well as a recentness history of ads

presented in response to the same key word search and whether the same ads are eligible to display),

- *recording, in a first advertisement database, the advertisement keyword and the first advertisement data from the first sponsor that corresponds to the advertisement keyword* (see at least Figure 1, items 118 and 119, the advertisement database stores ads and keywords and advertisement server stores tables that enable the invention to search the ad database and select and transmit the ads),

Nam does not specifically disclose the following limitation. However, Cheung, as shown, discloses the following limitations:

- *processing advertisement information that corresponds to the advertisement keyword and providing the advertisement information corresponding to the advertisement keyword to a web browser of the first sponsor* (see at least column 23, lines 22-55, "project expenses" feature of this invention predicts based on the advertisement keyword the response that an advertiser can expect, i.e. the number of clicks, and predicts the cost of the advertising campaign for the advertiser based on a cost per click payment scheme; Examiner notes that this prediction mechanism requires a determination of expected clicks based on previous data and keyword),
- *receiving a purchase response from the first sponsor, in which the purchase response includes first advertisement data of the first sponsor* (see at least column 6, line 48-51, generally describing bidding for keywords in a search engine advertising setting and advertiser providing payment for the ad),

Both Nam and Cheung disclose counting features:

- *[recording by] incrementing a request counter value for the advertisement keyword in a predetermined storing means, wherein the request counter value is a number of times the advertisement keyword is requested by a*

*sponsor* (see at least Nam page 16, lines 17-18; see at least Cheung column 6, lines 48-51, ad rank; see also at least Cheung column 8, lines 31-44, seniority),

Neither reference specifically discloses counting the specified data element in the above limitation, however, given the fact that the ability to program a computerized device to count similar information as demonstrated by both prior art references it would have been obvious to a person having ordinary skill in the art at the time the invention was made to additionally count sponsor requests since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine a bidding feature of Cheung with the advertising invention of Nam because Cheung discloses that a better way to control advertising costs while maximizing advertising exposure is needed and endorses bidding price strategies that allow the advertisers to set the appropriate price for an ad thereby alleviating the costly effects of an arbitrary pricing strategy. Examiner notes that although the Cheung invention is focused on alleviating costs further in the advertising chain, i.e. controlling click-through costs, the per ad/click costs/rates in the Cheung invention are initially derived from bidding.

**Claim 34:**

The combination Nam/Cheung discloses the limitations as shown in the rejections above.

Further, Cheung, as shown, discloses the following limitations:

- *if a second advertisement request including the advertisement keyword is received from a second sponsor, increasing the request counter value for the advertisement keyword recorded in the storing means (see at least, column 8, lines 31-44, seniority, the second ad request for the same keyword will*

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have a lower seniority than the first; however ad placement will still vary depending on the bid rank),

- *determining whether the request counter value is greater than a predetermined value if the request counter value is greater than the predetermined value, recording, the advertisement keyword and advertisement information that corresponds to the advertisement keyword in the keyword database* (see at least column 6, line 48-51, the advertiser associates the ad with the desired keywords, keywords may or may not be in use, ad is ranked based on relative price paid for the selected keyword/s),

It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine a bidding feature with the advertising invention of Nam because Cheung discloses that a better way to control advertising costs while maximizing advertising exposure is needed and endorses bidding price strategies that allow the advertisers to set the appropriate price for an ad thereby alleviating the costly effects of an arbitrary pricing strategy. Examiner notes that although the Cheung invention is focused on alleviating costs further in the advertising chain, i.e. controlling click-through costs, the per ad/click costs/rates in the Cheung invention are initially derived from bidding.

**Claim 35:**

The combination Nam/Cheung discloses the limitations as shown in the rejection above.

Further, Nam, as shown, discloses the following limitation:

- *the advertisement information includes at least one of information for a number of generated advertisement files, information for a number of impressions of a web page corresponding to the advertisement keyword, price information of the advertisement keyword* (see at least page 16, line 20-21).

**Claim 36:**

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The combination Nam/Cheung discloses the limitations as shown in the rejection above. Nam does not specifically disclose the following limitation. However, Cheung, as shown, discloses the following limitation:

- *the purchase response additionally includes payment information for a predetermined advertisement charge* (see at least column 6, line 48-51, generally describing bidding for keywords in a search engine advertising setting and advertiser providing payment for the ad),

It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine a bidding feature with the advertising invention of Nam because Cheung discloses that a better way to control advertising costs while maximizing advertising exposure is needed and endorses bidding price strategies that allow the advertisers to set the appropriate price for an ad thereby alleviating the costly effects of an arbitrary pricing strategy. Examiner notes that although the Cheung invention is focused on alleviating costs further in the advertising chain, i.e. controlling click-through costs, the per ad/click costs/rates in the Cheung invention are initially derived from bidding.

**Claim 37:**

The combination Nam/Cheung discloses the limitations as shown in the rejection above. Nam does not specifically disclose the following limitation. However, Cheung, as shown, discloses the following limitation:

- *the advertisement request is performed in a manner of auction or bidding* (see at least column 6, line 48-51, generally describing bidding for keywords in a search engine advertising setting),

It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine a bidding feature with the advertising invention of Nam because Cheung discloses that a better way to control advertising costs while maximizing advertising exposure is needed and endorses bidding price strategies that allow the

advertisers to set the appropriate price for an ad thereby alleviating the costly effects of an arbitrary pricing strategy. Examiner notes that although the Cheung invention is focused on alleviating costs further in the advertising chain, i.e. controlling click-through costs, the per ad/click costs/rates in the Cheung invention are initially derived from bidding.

**Claims 39 and 44:**

Nam, as shown, discloses the following limitations:

- *maintaining an advertisement database for storing multiple keywords and multiple advertisement data that correspond to the multiple keywords* (see at least page 8, line 10-12, a database that may be indexed by "key" – note that this patent uses the phrase "key word" and "key" rather than keyword),
- *receiving an access request from a user, wherein the access request includes an advertisement file stored in a user's terminal* (see at least Figure 3, Item 304),
- *identifying an advertisement keyword from a frequently referred word in the advertisement file* (see at least Figure 5, Item 501, see also at least page 11, line 12, inputted keyword),
- *extracting the advertisement keyword recorded in the advertisement file* (see at least page 3, line 21, the information stored in the cookie may include key words, see page 3, line 25),
- *searching for the advertisement data that corresponds to the advertisement keyword by referring to the advertisement database* (see at least page 3, line 26; see also at least Figure 1, items 118 and 119, the advertisement database stores ads and keywords and advertisement server stores tables that enable the invention to search the ad database and select and transmit the ads; see also at least Nam page 16, lines 17-18; see also at least

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Cheung column 6, lines 48-51, ad rank; see also at least Cheung column 8, lines 31-44, seniority),

- *processing the advertisement data corresponding to the advertisement keyword and providing the same to a web browser of the user* (see at least page 3, line 26-27),
- *maintaining a keyword database for storing multiple keywords and advertisement information according to the keywords* (see at least page 8, line 10-12, a database that may be indexed by "key" - note that this patent uses the phrase "key word" and "key" rather than keyword),
- *receiving an advertisement request that includes an advertisement keyword from a sponsor, wherein the advertisement keyword corresponds to one of the multiple keywords stored in the keyword database* (see at least page 13, line 20-21),
- *searching for the advertisement information that corresponds to the advertisement keyword by referring to the keyword database* (see at least page 3, line 26),
- *recording the received advertisement keyword and incrementing a request counter value for the advertisement keyword in a predetermined storing means, wherein the request counter value is a number of times an advertisement keyword is requested by a sponsor* (see at least page 3, line 26; see also at least Figure 1, items 118 and 119, the advertisement database stores ads and keywords and advertisement server stores tables that enable the invention to search the ad database and select and transmit the ads; see also at least Nam page 16, lines 17-18; see also at least Cheung column 6, lines 48-51, ad rank; see also at least Cheung column 8, lines 31-44, seniority),

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- *the advertisement request is a request for the advertisement information about the advertisement keyword so that the first sponsor can determine whether or not to purchase the advertisement keyword* (see at least page 13, lines 20-23, advertisers request advertisement categorization information; Examiner notes that the limitation *so that the first sponsor can...* is an intended user limitation and does not effect the scope of the claim limitation which is directed to receiving a request, the claim does not positively recite the determination step, the purpose for the receipt of information and the possible uses of the information may vary without impacting the method which is directed only to receiving the data; Examiner further notes that Cheung also discloses this limitation, see below),
- *recording, in the advertisement database, the advertisement keyword and the advertisement data that corresponds to the advertisement keyword* (see at least page 3, line 20).

Nam does not specifically disclose the following limitations. However, Cheung, as shown, discloses the following limitations:

- *the advertisement request is a request for the advertisement information about the advertisement keyword so that the first sponsor can determine whether or not to purchase the advertisement keyword* (see at least column 23, lines 22-55, "project expenses" feature of this invention predicts based on the advertisement keyword the response that an advertiser can expect, i.e. the number of clicks, and predicts the cost of the advertising campaign for the advertiser based on a cost per click payment scheme; Examiner notes that the limitation *so that the first sponsor can...* is an intended user limitation and does not effect the scope of the claim limitation which is directed to receiving a request, the claim does not positively recite the determination step, the purpose for the receipt of information and the possible uses of the



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information may vary without impacting the method which is directed only to receiving the data),

- *processing the advertisement information that corresponds to the advertisement keyword and providing the advertisement information corresponding to the advertisement keyword to a web browser of the first sponsor* (see at least column 23, lines 22-55, "project expenses" feature of this invention predicts based on the advertisement keyword the response that an advertiser can expect, i.e. the number of clicks, and predicts the cost of the advertising campaign for the advertiser based on a cost per click payment scheme; Examiner notes that this prediction mechanism requires a determination of expected clicks based on previous data and keyword),
- *receiving a purchase response from the first sponsor, in which the purchase response includes first advertisement data of the first* (see at least column 6, line 48-51, generally describing bidding for keywords in a search engine advertising setting and advertiser providing payment for the ad),
- *providing the user interface screen to a web browser of the user such that both the first advertisement data and the second advertisement data are provided to the user simultaneously* (see at least column 7, lines 7-11, displaying multiple ads to a user ranked by bid amount),

Neither reference specifically discloses counting the specified data element in the above limitation, however, given the fact that the ability to program a computerized device to count similar information as demonstrated by both prior art references it would have been obvious to a person having ordinary skill in the art at the time the invention was made to additionally count sponsor requests since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine a bidding feature with the advertising invention of Nam because Cheung discloses that a better way to control advertising costs while maximizing advertising exposure is needed and endorses bidding price strategies that allow the advertisers to set the appropriate price for an ad thereby alleviating the costly effects of an arbitrary pricing strategy. Examiner notes that although the Cheung invention is focused on alleviating costs further in the advertising chain, i.e. controlling click-through costs, the per ad/click costs/rates in the Cheung invention are initially derived from bidding.

**Claim 40:**

The combination Nam/Cheung discloses the limitations as shown in the rejection above.

Further, Nam, as shown, discloses the following limitations:

- *maintaining a second advertisement database for storing multiple second advertisement data that corresponds to a predetermined keyword* (see at least page 8, line 10-12, a database that may be indexed by "key" - note that this patent uses the phrase "key word" and "key" rather than keyword),
- *maintaining a third advertisement database for storing multiple third advertisement data* (see at least page 8, line 10-12, a database that may be indexed by "key" - note that this patent uses the phrase "key word" and "key" rather than keyword),
- *receiving a second keyword from the user* (see at least page 11, lines 8-9),
- *searching for the second advertisement data that corresponds to the second keyword by referring to the second advertisement database* (see at least page 3, line 26),
- *searching for the third advertisement data by referring to the third advertisement database* (see at least page 3, line 26),

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- *constructing a user interface screen by arranging the advertisement data, the second advertisement data, and the third advertisement data according to predetermined criteria* (see at least page 2, line 18, ads are displayed based on the ad table, i.e. the order),
- *providing the user interface screen to the web browser of the user reference* (see at least page 2, line 18, ads are displayed).

**Claims 43 and 45:**

The combination Nam/Cheung discloses the limitations as shown in the rejections above.

Further, Nam, as shown, discloses the following limitations:

- *the second advertisement data is general keyword advertisement data, and a third advertisement data is general banner advertisement data* (see at least page 8, line 13, banner advertisement).

**Claims 41 and 46:**

The combination Nam/Cheung discloses the limitations as shown in the rejections above.

Further, Nam, as shown, discloses the following limitations:

- *providing predetermined feedback information to the sponsor, in which the feedback information includes at least one of the number of times the advertisement data is provided to the user, a number of times the user clicks on the advertisement data, a time period the user visits a web page of the sponsor, and a number of times the user visits the web page of the sponsor after the advertisement data is provided* (see at least page 16, line 20- 21).

**Response to Arguments**

10. Applicant's arguments filed 21 October 2009 have been fully considered but they are not persuasive.
11. Regarding the prior art rejections Applicants assert that the claims are in condition for allowance without any specific argument (see page 16 of Applicant's remarks). Further Applicant's argument with respect to the prior art rejection is rejected to canceled claims 1-25. Accordingly Applicant's

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assertions are moot with respect to pending claims 26-48. The pending claims are substantially similar to the canceled claims, and the rejection above is nearly identical to the previous rejection. There are a few adjustments as a result of the amendments. Accordingly, this rejection is made final.

### Conclusion

- 12. THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).
- 13.** A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.
- 14.** Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the Examiner should be directed to **Nathan C Uber** whose telephone number is **571.270.3923**. The Examiner can normally be reached on Monday-Friday, 8:30am-4:00pm EST. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, **Eric Stamber** can be reached at **571.272.6724**.
- 15.** Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair> <<http://pair-direct.uspto.gov>>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866.217.9197** (toll-free).

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**16.** Any response to this action should be mailed to:

**Commissioner of Patents and Trademarks**

**P.O. Box 1450, Alexandria, VA 22313-1450**

or faxed to **571-273-8300**.

**17.** Hand delivered responses should be brought to the **United States Patent and Trademark Office**

**Customer Service Window:**

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